

REMARKS

Claims 1-32 are all the claims pending in the application.

Reconsideration and review of the claims on the merits are respectfully requested.

Claim Rejection - 35 U.S.C. § 102(e)

Claims 1-32 are rejected under 35 U.S.C. § 102(e) as assertedly being clearly anticipated by CUNNINGHAM et al '863 for the reasons given in the Office Action.

The Examiner points to Example 36 of CUNNINGHAM as showing a polymerizable compound, an organic dye, and a borate compound as recited in Applicants' general formula (I) of Claim 1.

Applicants traverse the rejection, by way of example and not by way of limitation, for the following reasons.

Applicants note that the Examiner does not address the molar ratio limitation in Claim 1 that at least one kind of an organoboron compound represented by general formula (I) be in a proportion of at least one mole per mole of the organic dye. This range is critical to achieving the present invention.

For support of criticality, Applicants have disclosed in the specification that the ratio between the organic dye and the organoboron compound is important from the standpoint of obtaining high sensitivity and sufficient decolorization by the irradiation of light in the fixing step of the recording process. If the ratio is less than 1/1, or the amount of the organoboron compound to be added is less than 1 mole per mole of the organic dye, sufficient polymerization reactivity and decolorization cannot be obtained (page 20, lines 5-26). Thus, in the present

invention, such properties as sensitivity, storability, photo-fixability, and decolorization of organic dyes can be improved by use of the organoboron compound in an amount exceeding 1 mole per mole of the organic dye. See the results shown in Table 1 on page 119 in the application.

On the contrary, CUNNINGHAM makes no mention of criticality of any particular molar ratio. Although examples in CUNNINGHAM may satisfy the molar ratio limitation in claim 1, CUNNINGHAM makes no mention of criticality of any particular molar ratio and does not appreciate every limitation of the present invention, and makes no mention that such properties as sensitivity, storability, photo-fixability, and decolorization of organic dyes are improved by use of the organoboron compound in an amount exceeding 1 mole per mole of the organic dye. Therefore, Applicants submit that CUNNINGHAM does not disclose, teach or appreciate each and every requirement of the present invention.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e).

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111

U.S. Application No. 09/894,827

Q64663

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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